Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

Activities of the United Nations Office on Drugs and Crime to promote and support the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Report of the Secretariat

I. Introduction

1. The present report seeks to inform the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, at its ninth session, about the activities of the United Nations Office on Drugs and Crime (UNODC) to promote and support the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, since the eighth session of the Conference, in October 2016.

2. The Trafficking in Persons Protocol has a total of 173 parties. Since the eighth session of the Conference of the Parties, in 2016, Fiji, Japan, Maldives and the State of Palestine have become parties to the Protocol.

3. During the reporting period, the main achievements of UNODC in relation to supporting States in the implementation of the Protocol included the following:

- Through its Global Programme against Trafficking in Persons, the Office organized or contributed to 65 major technical legislative assistance and/or capacity-building activities at the global, regional and national levels. More than 1,200 practitioners, governmental officials, and civil society representatives in more than 24 countries were beneficiaries of those technical cooperation activities;
- Through its Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, a programme being implemented in 13 countries,

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the Office organized or contributed to 63 activities addressing trafficking in persons exclusively and 38 activities addressing both trafficking in persons and the smuggling of migrants;

- Two standard-setting, practitioner-oriented technical tools were developed, and work was begun on three more;
- A total of 181 case briefs were added to the Human Trafficking Case Law Database, which at the time of reporting contained details and analysis of 1,492 trafficking in persons cases from 106 jurisdictions.

II. Activities to assist States in the implementation of the Protocol

4. UNODC implements a comprehensive strategy to combat trafficking in persons and the smuggling of migrants, prioritizing the following areas: (a) provision of technical expertise for the implementation of the Trafficking in Persons Protocol and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime; (b) support for intergovernmental and inter-agency cooperation and coordination; (c) research and data collection on trafficking in persons, in particular through the biennial *Global Report on Trafficking in Persons*; and (d) management of the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children.

5. On the basis of this strategy, UNODC continued to provide significant and diverse support to Member States in their efforts to implement the Trafficking in Persons Protocol, in particular by advancing normative work and carrying out technical cooperation activities.

A. Normative and policy work and inter-agency cooperation and coordination

6. UNODC provided strategic and substantive support to intergovernmental bodies and processes and continued to cooperate closely with other United Nations agencies, as well as regional intergovernmental and non-governmental organizations, in promoting the objectives of the Trafficking in Persons Protocol and fostering synergies and partnerships to that end.

1. Supporting intergovernmental bodies

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7. UNODC serviced and provided substantive support to two meetings of the Working Group on Trafficking in Persons, established by the Conference. For the consideration of the Working Group at its seventh meeting, held in Vienna from 6 to 8 September 2017, the Office drafted a technical background paper to facilitate policy discussions on the topic of effective criminal justice responses to trafficking in persons centred on addressing the protection and assistance needs of different groups and types of victim, with particular reference to victims of trafficking within mixed migration movements (CTOC/COP/WG.4/2017/2). UNODC also assisted the Working Group by preparing a draft questionnaire for the review of the implementation of the Trafficking in Persons Protocol, in accordance with Conference resolution 8/2 (CTOC/COP/WG.4/2017/3).

8. For the consideration of the Working Group at its eighth meeting, held on 2 and 3 July 2018, UNODC drafted a technical background paper addressing international cooperation in cases of trafficking in persons with a focus on the needs and rights of victims (CTOC/COP/WG.4/2018/2). At the meeting, the Working Group also considered the preparation of the questionnaire for the review of the implementation

of the Trafficking in Persons Protocol, in accordance with Conference resolution 8/2. For that purpose, UNODC made available a non-paper containing the draft questionnaire, which included the suggestions and comments made during the seventh meeting of the Working Group (CTOC/COP/WG.4/2018/CRP.1).

Commission on Crime Prevention and Criminal Justice

9. The Commission on Crime Prevention and Criminal Justice, at its twenty-sixth session, in 2017, recommended for adoption by the Economic and Social Council a draft resolution on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons; the resolution was subsequently adopted by the Council (E/RES/2017/18).

10. At the twenty-seventh session of the Commission, held in 2018, UNODC provided substantive support to Member States in discussions leading to the adoption of three resolutions: resolution 27/2, on preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies; resolution 27/3, on improving the protection of children against trafficking in persons, including by addressing the criminal misuse of information and communications technologies; and resolution 27/4, on strengthening measures against trafficking in persons. In those resolutions, the ratification and effective implementation of the Organized Crime Convention and the Trafficking in Persons Protocol were stressed, considering the central role of those instruments in the fight against trafficking in persons.

11. To promote the Protocol and share good practices related to its implementation, UNODC co-organized several side events during the twenty-sixth and twenty-seventh sessions of the Commission. On the margins of the twenty-sixth session, in 2017, UNODC held a side event entitled "Countering trafficking in persons and smuggling of migrants in the Horn of Africa: a multilateral approach", organized in collaboration with the German Agency for International Cooperation and the International Organization for Migration (IOM), and a side event on the Office's new tools to counter trafficking in persons and the smuggling of migrants, organized in collaboration with the Governments of Italy, Switzerland and the United States of America. On the margins of the twenty-seventh session, in 2018, UNODC, together with the Government of Colombia, held a side event on the theme "Crime prevention strategies to fight human trafficking: the experience of Colombia".

General Assembly

12. UNODC provided substantive support to Member States in discussions leading to the development and implementation of General Assembly resolutions relating to trafficking in persons, the implementation of the Trafficking in Persons Protocol and the Global Plan of Action to Combat Trafficking in Persons, as well as in responding to the associated increase in demand for related technical assistance.

13. At the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held in New York on 19 September 2016, the Assembly, in its resolution 71/1, adopted the New York Declaration for Refugees and Migrants, in which Heads of State and Government and High Representatives reaffirmed the importance of the Organized Crime Convention and its Protocols, and encouraged the ratification of, accession to and implementation of relevant international instruments on preventing and combating trafficking in persons. In the Declaration, States pledged to vigorously combat trafficking in persons and the smuggling of migrants with a view to eliminating those crimes, including through targeted measures to identify victims of trafficking in persons or those at risk of being trafficked, to provide support for the victims of trafficking in persons, and to work to prevent trafficking in persons among those affected by displacement. In addition, with a view to disrupting and eliminating the criminal networks involved, States undertook to review their national legislation to ensure conformity with their obligations under international law relating to trafficking in persons, and to implement the United

Nations Global Plan of Action. As a follow-up to the New York Declaration, the General Assembly decided to hold intergovernmental negotiations and conferences leading to the adoption of the Global Compact for Safe, Orderly and Regular Migration (see General Assembly resolutions 71/280 and 72/244).

14. At its seventy-first session, the General Assembly adopted two resolutions relating to trafficking in persons, namely, resolution 71/167, on trafficking in women and girls, and resolution 71/322, on strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs. In both resolutions, the General Assembly urged Member States to ratify or accede to the Organized Crime Convention and the Trafficking in Persons Protocol and to implement those instruments fully and effectively. In resolution 71/167, the Assembly stressed the need for the systematic collection of disaggregated data and for common methodologies and indicators, and in that regard took note of the publication of the *Global Report on Trafficking in Persons*, prepared by UNODC. In resolution 71/322, the Assembly requested the World Health Organization (WHO), in collaboration with UNODC and the Office of the United Nations High Commissioner for Human Rights (OHCHR), to develop international guidelines on the health, criminal and human rights aspects relating to trafficking in persons for the purpose of organ removal and trafficking in human organs.

15. At its seventy-second session, the General Assembly adopted two resolutions relating to trafficking in persons, namely, resolution 72/1, entitled "Political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons" and resolution 72/195, on improving the coordination of efforts against trafficking in persons. In both resolutions, the Assembly reaffirmed the importance of universal ratification of the Organized Crime Convention and the Trafficking in Persons Protocol and urged Member States that had not yet done so to consider ratifying or acceding to those instruments and to implement them fully and effectively. The high-level meeting of the General Assembly on the appraisal of the Global Plan of Action, held in New York on 27 and 28 September 2017, concluded with the adoption of the political declaration on the implementation of the Global Plan of Action. In that declaration, the States Members of the United Nations reaffirmed the central role of UNODC in the global fight against trafficking in persons, in particular in providing technical assistance to Member States, upon their request, by making use of the existing capacity-building tools, lessons learned from Member States and expertise available in other organizations. Furthermore, UNODC was requested to continue collecting information on patterns, forms and flows of trafficking in persons at the national, regional and international levels, to be published in the *Global Report on Trafficking in Persons*. In resolution 72/195, the General Assembly urged Member States and other stakeholders, including the Inter-Agency Coordination Group against Trafficking in Persons (ICAT), to continue to contribute to the full implementation of the Global Plan of Action. In the same resolution, the Assembly expressed support for the activities of UNODC, encouraged its cooperation with relevant international organizations and invited Member States to make voluntary contributions to the Office for providing assistance to Member States upon request. The Assembly furthermore requested UNODC to convene a principal-level meeting of ICAT and to continue to encourage contributions by States and other stakeholders to the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children.

16. Also at its seventy-second session, the General Assembly adopted resolution 72/179, on protection of migrants, in which it called upon States to ensure that their laws and policies relating to combating transnational organized crime, such as trafficking in persons, fully respect the human rights of migrants, and encouraged States to cooperate effectively in protecting witnesses and victims in cases of trafficking in persons, regardless of their migration status. In the same resolution, the Assembly also encouraged Member States to take further effective measures to combat trafficking in persons, strengthen international cooperation to prevent,

investigate and combat such trafficking, and to identify and disrupt financial flows related to trafficking crimes.

Security Council

17. Following the first-ever meeting of the Security Council on trafficking in persons, in December 2015, UNODC coordinated the preparation of the report of the Secretary-General on the implementation of measures to counter trafficking in persons (S/2016/949), in which the Secretary-General proposed to the Security Council a number of recommendations to strengthen the response against the phenomenon.

18. On 20 December 2016, the Security Council adopted resolution 2331 (2016), in which it called upon Member States that had not yet done so to consider ratifying or acceding to the Organized Crime Convention and the Trafficking in Persons Protocol and to fully implement them. The Council also called for the continued support of UNODC in providing technical assistance upon request to Member States to investigate, disrupt and dismantle networks involved in trafficking in persons in the context of armed conflict, and encouraged UNODC and other relevant United Nations and non-United Nations entities and bodies to continue to support Member States' efforts in that regard, including through the exchange of information and the strengthening of networks for regional and international cooperation. UNODC also coordinated the preparation of the report of the Secretary-General on trafficking in persons in armed conflict pursuant to Security Council resolution 2331 (2016) (S/2017/939), in which the Secretary-General described the efforts undertaken by Member States, United Nations entities and relevant international bodies to improve their response to trafficking in persons in the context of armed conflict. In the report, the Organized Crime Convention and the Trafficking in Persons Protocol were referred to as providing the basis for a common understanding of trafficking in persons and a widely accepted legal framework to enhance international cooperation in that regard.

19. On 21 November 2017, the Security Council adopted resolution 2388 (2017), in which it urged Member States to consider ratifying or acceding to, and for States Parties to effectively implement, the Organized Crime Convention and the Trafficking in Persons Protocol. In the same resolution, the Council welcomed further briefings on trafficking in persons in the context of armed conflict by relevant United Nations entities, including UNODC, and encouraged Member States to provide to UNODC information on victims of trafficking from areas affected by conflict or victims trafficked into conflict areas for inclusion within the existing reporting obligations. The Security Council also requested the Secretary-General to ensure that the thematic paper on trafficking in persons in conflict situations, developed by UNODC, would be disseminated within the United Nations system. UNODC is currently preparing the draft report of the Secretary-General on the implementation of Council resolution 2388 (2017). The Executive Director of UNODC briefed the Security Council on several occasions (December 2016 and March and November 2017) on trends in trafficking in persons in areas affected by armed conflict and the response made by UNODC.

2. Participation in inter-agency and regional coordination and cooperation mechanisms

20. UNODC collaborates closely with other intergovernmental organizations, both within and outside the United Nations system, and is active at both the international and regional levels. The Office has signed several memorandums of understanding with organizations with key mandates and expertise in preventing and combating trafficking in persons, allowing for the exchange of information and the development of joint projects. UNODC also regularly engages with non-governmental organizations and academia, for instance, through its regular participation in thematic events and discussions.

21. UNODC frequently participates in conferences and meetings organized by other international organizations active in preventing and combating trafficking in persons, such as the INTERPOL Global Trafficking in Human Beings Conference, held in October 2016; the Vienna Migration Conference, organized by the International Centre for Migration Policy Development (ICMPD) in November 2016; and the IOM Educational Seminar on Migration, held in July 2017.

Inter-Agency Coordination Group against Trafficking in Persons

22. UNODC continued to act as the coordinator of ICAT, which at the time of reporting had 23 member or partner entities. The chairmanship of ICAT was assumed by OHCHR in 2017, and by the United Nations Children's Fund (UNICEF) in 2018.

23. During the reporting period, the activities of ICAT were guided by an annual workplan developed and implemented jointly by the organizations that together form the expert-level body of the Group, referred to as the "working group". Its current members are the following organizations: Council of Europe, ICMPD, International Labour Organization (ILO), IOM, OHCHR, Office of the Special Representative of the Secretary-General for Sexual Violence in Conflict, Organization for Security and Cooperation in Europe (OSCE), Office of the United Nations High Commissioner for Refugees (UNHCR), UNICEF, UNODC and United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

24. ICAT substantially increased its activities during the reporting period. In 2016, it published an issue paper on building effective counter-trafficking responses using accumulated knowledge and a shared approach to monitoring, evaluation and learning, as well as a toolkit for guidance in designing and evaluating counter-trafficking programmes. Also in 2016, ICAT launched a new series of succinct guidance materials, referred to as issue briefs. The briefs touch upon topical issues and current concerns, such as the differences between trafficking in persons and the smuggling of migrants, trafficking in persons in humanitarian crises, the gender dimensions of trafficking in persons, trafficking in persons and refugee status, and trafficking and the Sustainable Developments Goals. All ICAT products are easily accessible on the ICAT website, which has been available to Member States and relevant stakeholders since 2016.[1]

25. ICAT also contributed to relevant intergovernmental processes. The Group provided a well-received submission for the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons, and organized an accompanying side event on the political declaration to the Global Plan of Action: the way forward, held in New York in September 2017. ICAT also contributed expertise to the zero draft plus of the Global Compact for Safe, Orderly and Regular Migration in March 2018.

26. In September 2017, the General Assembly, in its resolution 72/195, requested UNODC to convene the first-ever meeting of ICAT at the principal level. The meeting, held in London on 2 May 2018, enjoyed a high level of participation, with representatives of 21 of the 23 ICAT member or partner entities attending, including 10 represented at the principal level. The principals in attendance confirmed their strong determination to work jointly to address critical trafficking-related issues with a single voice and to contribute to key policy developments at the global level. The meeting also laid a solid foundation for the Group's continued development into a robust inter-agency mechanism that is equipped to participate more effectively and efficiently in global efforts to combat trafficking in persons. As requested by the General Assembly, ICAT member entities held briefings for Member States in Vienna and New York in June 2018, and further events were to be convened throughout the remainder of the year.

[1] All ICAT publications are available at http://icat.network/publications.

Global Migration Group

27. UNODC is an active member of the Global Migration Group, the inter-agency group that brings together heads of agencies to promote the wider application of all relevant instruments relating to migration and encourage the adoption of more coherent, comprehensive and better coordinated approaches. UNODC has remained active and committed to the Group by contributing to joint Group statements, papers and events on migration-related issues, including the Summit for Refugees and Migrants, held on 19 September 2016, the development of the Global Compact for Safe, Orderly and Regular Migration, and the consultations held in follow-up to the Secretary-General's report on making migration work for all (A/72/643). UNODC also participated in the meetings of the principals of the Global Migration Group in 2017 and 2018, during which heads of organizations discussed the Group's support for the various processes and instruments relating to migration.

28. Moreover, UNODC is an active member of the Global Migration Group's Working Group on Migration, Human Rights and Gender, which has addressed, among other issues, the human rights concerns of smuggled migrants and the right of access to justice for migrants who are victims of crimes. In that framework, UNODC contributed substantially to the publication entitled *Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations*. The set of principles contains advice to States on how to operationalize the international human rights framework governing protection of migrants in vulnerable situations, including protection from the risk of being subject to forced labour or trafficking in persons.

29. In 2016 and 2017, as part of the consultation phase in the development of the Global Compact for Safe, Orderly and Regular Migration, UNODC was assigned the lead role in drafting the Group's input to the Secretary-General's issue brief for the fifth informal thematic session for the development of the Global Compact, on the smuggling of migrants, trafficking in persons and contemporary forms of slavery, and the concept note for the Office of the President of the General Assembly, for the same session. Furthermore, UNODC also supported the second informal interactive multi-stakeholder hearing for the development of a global compact on migration, held in Geneva on 11 October 2017, and moderated a panel discussion at the hearing on the topic "Smuggling of migrants, trafficking in persons and contemporary forms of slavery".

Cooperation with regional organizations and processes

30. In Europe, UNODC collaborates closely with OSCE, the European Union and the Council of Europe. UNODC is a member of the OSCE Alliance against Trafficking in Persons and participates every year in the annual conference of the Alliance (including in 2016, 2017 and 2018). During the reporting period, UNODC representatives participated in specific meetings of those bodies, such as the OSCE conference on preventing trafficking in human beings for labour exploitation in supply chains, held in September 2016, and the Council of Europe regional expert workshop on enhancing international legal cooperation in the fight against trafficking in human beings and the protection of victims' rights, held in November 2017.

31. In Africa, UNODC continued to be an active partner of the African Union-Horn of Africa Initiative, as well as an observer of the Euro-African Dialogue on Migration (Rabat Process) and the European Union-Horn of Africa Migration Route Initiative (Khartoum Process), both of which are aimed at addressing, among other issues, trafficking in persons. In addition, UNODC contributed substantially to a trilateral thematic meeting of representatives of the African Union-Horn of Africa Initiative, the Khartoum Process and the Rabat Process on trafficking in and smuggling of persons, focusing on unaccompanied minors. The meeting was organized by ICMPD and held in Luxor, Egypt, in November 2017. UNODC representatives also took part in the Joint Valletta Action Plan Senior Officials Meeting, held in Valletta in February 2017, at which officials from States in Africa and Europe reiterated the

importance of stepping up the fight against trafficking in persons and the smuggling of migrants in the context of the Joint Valletta Action Plan. UNODC has been contributing directly to the implementation of the Joint Valletta Action Plan, in particular its priority domain 4, on preventing and countering irregular migration, the smuggling of migrants and trafficking in persons, through activities carried out under its strategy for combating trafficking in persons and the smuggling of migrants in West and Central Africa (2015–2020). UNODC has implemented more than 25 projects and activities relating to trafficking in persons in the framework of the Rabat Process and the Khartoum Process.

32. Since July 2015, UNODC has been a member of the North Africa Mixed Migration Task Force, which is aimed at promoting a human rights-based approach to ensure the protection of people moving in mixed and complex flows along the north-eastern Africa migratory route, as well as in North Africa. The Task Force is designed to foster collaborative approaches among key stakeholders to address the serious protection and other issues faced by persons using those routes, with a view to informing policy and programme development.

33. In Asia, UNODC is a full member of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime and the ad hoc working group on human trafficking, which strengthens the regional response to the smuggling of migrants, trafficking in persons and related transnational crime. Along with approximately 48 other members, UNODC actively participates in regional dialogues and initiatives, such as the drafting of policy guides on victim identification and protection of victims of trafficking in persons. Furthermore, the Bali Process has endorsed UNODC projects such as the interregional Voluntary Reporting System on Migrant Smuggling and Related Conduct, which is aimed at strengthening the collection and sharing of data on the smuggling of migrants across the Asia and Pacific region. In addition, UNODC representatives participated in the Association of Southeast Asian Nations practitioners' workshop on international legal cooperation in trafficking in persons cases, held in Thailand in May 2017.

34. In the Americas, UNODC works with several United Nations bodies, including IOM, UNICEF and UNHCR, as well as with regional organizations, such as the Organization of American States, the Inter-American Commission on Human Rights, the Central American Integration System, the Caribbean Community and the Institute for Public Policy on Human Rights of the Southern Common Market, in advancing comprehensive national strategies, policies and actions to tackle trafficking in persons and the smuggling of migrants. As an example, UNODC participated in the public hearing on the human rights situation of the victims of trafficking in persons, organized by the Inter-American Commission on Human Rights and held in Uruguay in October 2017. UNODC also works with the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants of the Ibero-American Association of Public Prosecutors to strengthen judicial cooperation, promote the exchange of good practices and contribute to the increase of investigations, prosecutions and adjudications in relation to such crimes.

3. Development of normative and policy guidance and tools

35. During the reporting period, UNODC continued to produce standard-setting, specialized materials for practitioners that provide guidance on how to detect, investigate and prosecute cases of trafficking in persons, as well as on how to provide protection and assistance to victims of trafficking and vulnerable migrants. In that connection, UNODC published the *Human Trafficking Toolkit for Journalists* (2017), available in English and Arabic, which serves as a resource to help the news media portray the complex nature of trafficking in persons in a fair, balanced and ethical manner. At the time of reporting, an issue paper on the international legal definition of trafficking in persons was being finalized and was expected to be published by the end of 2018. In addition, work continued on the development of a handbook on international legal cooperation in trafficking in persons, which was expected to be finalized in 2018.

36. UNODC continued to develop the Human Trafficking Knowledge Portal, which was launched in 2016 with the aim of facilitating the dissemination of information on the implementation of the Trafficking in Persons Protocol. The Portal is composed of three databases: a case law database, containing, as at July 2018, 1,492 cases from 106 jurisdictions; a database of legislation, containing, as at July 2018, 445 pieces of legislation representing 121 countries; and a bibliographic database containing 51 entries. The Portal supports States' prosecutorial efforts by increasing the visibility of successful prosecutions and promoting awareness of the realities of the crime of trafficking in persons.

37. UNODC has been drawing on the Case Law Database as a source of data to develop additional policy guidance materials and technical cooperation tools. For example, in 2017, UNODC published the case digest entitled *Evidential Issues in Trafficking in Persons Cases: Case Digest*, which is based on an in-depth analysis of approximately 135 cases from 31 jurisdictions extracted from the Case Law Database; the publication is aimed at equipping practitioners across different jurisdictions with solutions to respond to recurring and complex evidential issues. In the context of UNODC technical cooperation activities, the *Case Digest* has been used as a tool for specialized training focused on analysis and discussion of cases, for instance, in Tunisia in February 2018 and in Jordan in March 2018. The *Case Digest* has also been referred to in court decisions, such as in a 2017 court decision in South Africa.[2]

38. UNODC continued to publish biennial editions of the *Global Report on Trafficking in Persons*, which provides an overview of patterns and flows of trafficking in persons at the global, regional and national levels. The third edition of the report was published in December 2016 and the fourth edition is expected to be published by the end of 2018. The report is based on data collected by means of a questionnaire sent every year to Member States, and their replies include officially recorded information on cases of trafficking, detected victims and detected offenders in their respective countries. The report enables the identification of emerging trends and guides further research on critical issues. For example, findings from the report for 2016 indicated that cases involving trafficking for forced or sham marriages accounted for about 1.4 per cent of the total number of detected victims of trafficking. On that basis, in 2017, UNODC initiated work on an issue paper, to be made available in 2019, that will address the scope and different forms of, and effective responses to, marriage in the context of trafficking in persons.

B. Promoting and supporting the implementation of the Protocol through technical cooperation

39. With regard to technical assistance in countering trafficking in persons, UNODC provided, in response to requests from Member States, expertise in the following key areas: (a) legislative assistance; (b) criminal justice responses and international cooperation; (c) data collection and research; (d) prevention and awareness-raising; and (e) victim protection and support. UNODC conducted activities to support Member States in preventing and combating trafficking in persons, including mentoring and tailor-made technical cooperation, through headquarters and field offices across Africa, the Middle East, Asia, Europe and Latin America and the Caribbean.

40. Through its Global Programme against Trafficking in Persons, during the reporting period, UNODC organized or substantively contributed to 58 major technical cooperation activities, including legislative assistance and capacity-building activities, thereby assisting more than 24 countries and training more than 1,500 criminal justice practitioners and government officials in effectively

[2] Regional Court for the Regional Division of Kwazulu-Natal, *The State and Makhosini Mathews Fakudze (case No. 41/942/16)*

investigating and prosecuting trafficking in persons cases while providing appropriate support to victims.

41. In addition, through the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, during the reporting period, UNODC carried out more than 100 activities focused either exclusively on trafficking in persons, or on both trafficking in persons and the smuggling of migrants. Those activities included training to build the capacities of practitioners and officials, such as labour inspectors, diplomatic and consular staff, social workers and traditional leaders, assessments and regional workshops to build prosecution strategies, and the development of tailor-made curricula in cooperation with national judicial training academies. The activities were conducted in the following 13 strategically-selected participating countries: Belarus, Brazil, Colombia, Egypt, Kyrgyzstan, Lao People's Democratic Republic, Mali, Morocco, Nepal, Niger, Pakistan, South Africa and Ukraine.

1. Legislative assistance and development of national strategy and coordination

42. UNODC continued to provide Member States with tailor-made, specialized legislative assistance to develop effective national legislation in line with the requirements of the Trafficking in Persons Protocol and to ensure its full implementation. Moreover, UNODC carried out assessments of legislative needs, supported the drafting of legislation and provided policy advice to facilitate the effective implementation of the Protocol.

43. UNODC helped to formulate recommendations regarding the revision, where needed, of national legal frameworks enacted to prevent and combat trafficking in persons. For example, UNODC provided feedback (through the United Nations system) on the draft Trafficking in Persons Bill in India, which was introduced by the Government of India in 2016 and which, at the time of reporting, was pending adoption by the Parliament of India. Furthermore, in Bhutan, UNODC commissioned a legal and policy review to assess the gaps in the country's legal and policy framework, in line with relevant international instruments and standards. A report on the review was published and disseminated to key stakeholders, together with a set of recommendations, including on the need to ratify the Organized Crime Convention and its Protocols. UNODC conducted similar assessments in Uzbekistan and Turkmenistan involving the review of national criminal codes and laws related to combating trafficking in persons. The reviews led to the formulation of recommendations, which were then presented to and discussed with national stakeholders at various discussion forums.

44. Under the framework of the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC conducted gap and needs assessments in the 13 participating countries (see para. 41 above), which included interviews with other stakeholders in the respective countries. The Office subsequently prepared reports for all 13 countries on the current situation of trafficking in persons and the smuggling of migrants; the reports contained recommendations and a suggested implementation plan to guide government authorities in developing action plans, including those related to legislative amendments. As an example of the Office's tailor-made assistance in that regard, in Kyrgyzstan, UNODC supported a parliamentary working group on trafficking in persons and provided expert advice on how to bring the legal definition of trafficking in persons as a criminal offence in line with the Trafficking in Persons Protocol. Following the adoption of the new Criminal Code and the amendment of the Law on preventing and combating trafficking in persons in Kyrgyzstan, UNODC carried out an assessment of the new provisions and subsequently organized two training courses for government officials and criminal justice practitioners to validate the assessment and the recommendations emanating from it.

45. UNODC further supported, upon the request of Member States, the establishment of coordination mechanisms at the national level. For instance, the

Office assisted Qatar in the establishment of a coordinated governmental entity to combat trafficking in persons, known since 2017 as the National Committee to Combat Human Trafficking, and organized two workshops in Greece in April 2017 on strengthening inter-agency cooperation, which focused on challenges and opportunities in relation to trafficking. The Office also supported Member States, for example, Panama and the Sudan, in the development of national strategies and action plans. Similarly, in Tunisia, UNODC continued to support the National Commission to Combat Trafficking in Persons of Tunisia in the development of a national strategy to combat trafficking in persons, which was subsequently adopted by the National Commission, but was, at the time of reporting, pending enactment by the Council of Ministers of Tunisia.

46. UNODC also worked with local authorities to engage them in the fight against trafficking in persons. In El Salvador, UNODC provided technical expertise to the Municipality of San Salvador in updating its municipal law on trafficking in persons to align it better with international law. In Colombia, UNODC supported 17 local committees in the process of designing and adopting annual action plans to combat trafficking in persons.

47. Moreover, in collaboration with the Pacific island States of Papua New Guinea, Tuvalu and Solomon Islands, UNODC organized a pre-accession workshop that examined obligations set out in the Trafficking in Persons Protocol.

2. Strengthening criminal justice responses

48. UNODC offers technical expertise aimed at strengthening the criminal justice response of Member States to the complex and multifaceted crime of trafficking in persons. In line with its holistic approach and in close cooperation with requesting Member States, UNODC undertakes, as required, an in-depth, baseline needs assessment at the outset of any technical cooperation activity. Activities are then tailored accordingly, to guarantee the sustainability of the assistance and strengthen national ownership. For example, such an approach was taken in organizing a workshop on trafficking in persons in the fishing industry in Indonesia in November 2016; preparations for the workshop included a needs assessment/mapping exercise and consultations.

49. UNODC continued to organize and contribute to technical assistance activities aimed at strengthening the comprehensive response to trafficking in persons. As global conviction rates are low, traffickers may, in many States, perpetrate crimes almost with impunity. As a consequence, UNODC organized and contributed to training programmes for criminal justice practitioners, in order to enhance the detection, investigation and prosecution of trafficking cases, while ensuring respect for victims' rights. To further increase the impact of its technical assistance activities, UNODC developed innovative training methods and reached out beyond traditional criminal justice actors to target new groups of practitioners.

50. With regard to innovative training methods, UNODC organized training courses focused on the analysis and discussion of cases from the *Case Digest* mentioned above. The participation in the courses of a diverse mix of actors engaged in combating trafficking in persons allowed for active and enriching exchanges of experience. Such training courses were, for instance, held in Jordan and Tunisia in March 2018. In addition, UNODC organized several training courses involving mock investigations or mock trials in Brazil, Colombia, Jordan and Nigeria, which enabled participants to identify good practices and lessons learned. In the Sudan, UNODC trained prosecutors on courtroom litigation skills using video-recorded training assessment and critique methods to improve the quality of prosecutions in trafficking cases and ensure respect for the right of the accused to a fair trial.

51. UNODC organized or participated in train-the-trainer workshops focused on the use of UNODC tools and learning modules, such as those comprising the UNODC *Anti-Human Trafficking Manual for Criminal Justice Practitioners*, to detect, investigate and prosecute cases of trafficking in persons using a victim-centred

approach. Such workshops were organized in Bolivia (Plurinational State of), Colombia, Jordan, Serbia, Suriname and Rwanda. Furthermore, UNODC supported the development of targeted training materials to assist national criminal justice practitioners. For example, in Kyrgyzstan and Turkmenistan, UNODC, in partnership with national authorities, developed tailor-made training manuals based on the globally-oriented *Anti-Trafficking Manual*.

52. UNODC extended the reach of its technical cooperation activities beyond traditional criminal justice practitioners by organizing or contributing to training courses involving recruitment agencies, diplomatic and consular personnel, social workers and labour inspectors, among others. For example, UNODC conducted a capacity-building workshop on trafficking in persons for social workers employed in the criminal courts in Morocco. Moreover, in Colombia, the Office supported the first meeting and establishment of a network of labour inspectors for strengthening the identification of trafficking cases and facilitated a workshop for leaders and members of traditional councils to develop their knowledge and capacity in relation to identifying trafficking cases and to referral mechanisms.

3. Promoting international cooperation

53. A sound criminal justice response to trafficking in persons requires partnerships and effective international cooperation. For this reason, international cooperation is a key element of the Office's criminal justice response to trafficking in persons and its technical assistance efforts. To further support international cooperation, UNODC is currently developing, on the basis of the *ASEAN Handbook on International Legal Cooperation in Trafficking in Persons Cases*, published in 2010, a handbook on the same topic, but with a global scope; it is expected to be finalized by the end of 2018.

54. In Central Asia, UNODC contributed to a series of regional workshops on international and regional cooperation in investigating and prosecuting trafficking in persons, held in Tajikistan and Uzbekistan in October 2016 and October 2017. The workshops offered participants the opportunity to present their respective legal frameworks, discuss the challenges they face at the national level, and develop international and regional cooperation arrangements. The second workshop led to the establishment of an informal regional network of experts consisting of law enforcement and prosecution practitioners from Afghanistan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkmenistan and Uzbekistan.

55. In the Americas, UNODC supported the development and signing of a memorandum of understanding between the offices of the Attorneys General of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Panama, with a view to strengthening operational international cooperation in trafficking cases. Furthermore, in 2017, UNODC organized the third meeting of the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants, which contributed to the strengthening of judicial research and cooperation and the sharing of good practices. The meeting was attended by 20 public prosecutors, three crown prosecutors and several experts and investigators from 17 countries. The meeting led to the signing of a declaration on the use of regional cooperation tools, including UNODC tools, and to the revision of the Protocol on inter-institutional cooperation to strengthen the investigation of, attention to and protection of victims of the crime of trafficking in persons and the smuggling of migrants, adopted by the Ibero-American Association of Public Prosecutors.

56. In Africa, UNODC supported regional cooperation through the organization of a workshop for members of the Network of West African Central Authorities and Prosecutors against Organized Crime in December 2017. The workshop focused on international cooperation instruments and tools, such as the UNODC Mutual Legal Assistance Request Writer Tool, and regional cooperation in West Africa. In the workshop discussions, many participants emphasized the need to overcome challenges such as language and legal system differences, as well as the complexities of evidence collection in transnational organized crime cases.

4. Data collection and research

57. Knowledge and research concerning trafficking in persons at the national, regional and international levels are essential for strengthening the understanding of the crime and the human rights violations involved. Moreover, such knowledge and data are prerequisites for the development, implementation and evaluation of strategies to combat trafficking in persons and of evidence-based responses. Research and data collection shape the content of UNODC tools and materials created to facilitate implementation of the Trafficking in Persons Protocol by States parties and are adapted to meet country-specific needs and train relevant actors in their effective utilization.

58. In addition to the aforementioned recurring editions of the *Global Report on Trafficking in Persons*, which analyse the global patterns of trafficking in persons, UNODC has also published or initiated work on several specialized resources, such as the publication entitled *Evidential Issues in Trafficking in Persons Cases: Case Digest*, as well as two issue papers. Furthermore, as described above, the Human Trafficking Knowledge Portal was further developed during the reporting period.

59. The Office's research work addressed the implementation of target 16.2 of the Sustainable Development Goals ("End abuse, exploitation, trafficking and all forms of violence against and torture of children") and its corresponding indicator 16.2.2 (number of victims of trafficking in persons per 100,000 population, by sex, age and form of exploitation). UNODC and the Dutch National Rapporteur on Trafficking in Human Beings undertook joint research in 2017 to estimate the prevalence of trafficking in the Netherlands. The application of the multiple systems estimation methodology in that research enabled an estimate of the total number of trafficked persons to be derived on the basis of the number of detected cases. The methodology also produced estimates of the age and gender of victims of trafficking in persons, disaggregated by different forms of trafficking, including domestic and international trafficking, as well as trafficking for specific purposes of exploitation. The methodology was subsequently applied in three other countries; at the time of reporting, UNODC was awaiting approval to apply it in four more countries.

60. UNODC also assisted Member States in improving data collection on trafficking in persons. For instance, UNODC and the Government of Mexico finalized the development of a national information system on trafficking in persons, which is an Internet-based platform that enables the systematization of information on trafficking in persons, the identification of trends and routes, and the planning and implementing of targeted public policies, as well as follow-up on the services provided to victims. UNODC trained more than 200 government officials and representatives of civil society organizations in using the system and highlighted its added value. Similarly, in Colombia, UNODC supported the Ministry of Interior in developing and launching the country's National Information System on Trafficking in Persons, aimed at centralizing information on trafficking cases received by local criminal justice authorities. In Kyrgyzstan, UNODC organized, in partnership with the National Statistics Committee, a workshop on crime data collection that was attended by 50 specialists from governmental institutions and civil society organizations, and conducted an analysis of the national crime data collection system, which led to the adoption of a new crime data collection methodology. Those activities directly supported States in developing their capacity to collect and analyse information and data relating to trafficking in persons.

61. Furthermore, UNODC initiated research on trafficking in persons in the context of marriage, working together with experts from the European Institute for Crime Prevention and Control, affiliated with the United Nations. In that context, UNODC conducted a desk review of sources on the topic, as well as a number of in-country surveys. At an expert group meeting scheduled for November 2018, experts are expected to discuss an issue paper based on the findings of the desk review and the in-country surveys.

5. Crime prevention and awareness-raising

62. The Trafficking in Persons Protocol requires States parties to undertake prevention measures such as social and economic initiatives, research and awareness-raising campaigns targeting potential victims of trafficking and potential consumers of services provided by trafficked persons. The response to trafficking in persons calls for cooperation among a wide range of actors in designing and implementing such initiatives.

63. UNODC continues to participate in campaigns, exhibitions and other media events related to prevention and awareness-raising, in cooperation with Member States and key international organizations, the private sector, non-governmental organizations and other partners. UNODC has also undertaken specific efforts to extend the reach of such awareness campaigns and thus to increase their impact. As an example, in Bhutan, in collaboration with local partners, UNODC conducted several awareness-raising campaigns on trafficking in persons targeting vulnerable areas. The campaigns succeeded in reaching out to diverse groups, namely students, taxi and truck drivers, women working in the entertainment sector, hotel and restaurant employees, local officials and members of the lesbian, gay, bisexual and transgender community. The Office also encouraged the use of new methodologies to raise awareness. For instance, in South Africa in December 2017, UNODC representatives participated in the launch of the book *Wamama Chronicles*, developed by the non-governmental organization Fula Africa, which narrates the stories of women subjected to various forms of abuse at the hands of traffickers and smugglers while en route from Malawi to South Africa.

64. UNODC continued to raise awareness globally of its work to prevent trafficking in persons through the Blue Heart Campaign against Human Trafficking. In 2017, the Office strengthened its outreach efforts to representatives of Governments and the aviation and hospitality sectors, encouraging them to join the Blue Heart Campaign. At the time of reporting, the campaign had been adopted by 19 countries; the latest countries to join were Costa Rica, El Salvador, Guatemala, Jamaica and Zimbabwe. Other outcomes of the intensified outreach effort were the development of a strategic alliance with the International Air Transportation Association and an agreement by the Airport Council International to support the campaign. UNODC provided training to airline personnel and border control officials at airports to help them identify cases of trafficking in persons, and continued its discussions in that regard with various other airlines around the globe.

65. To better prevent trafficking in persons in the national context, the Blue Heart Campaign has been adapted for use at the country level. In Nigeria, for instance, the campaign was repurposed as the "I am priceless" campaign, which involved the broadcasting of short films, television spots and radio jingles, and which reached over 50 million viewers, listeners and readers. Furthermore, as part of the Blue Heart Campaign, UNODC launched a national school essay competition, which reached 62 schools and more than 100,000 pupils. In Mexico in July 2017, UNODC launched the campaign "#AQUIESTOY", which constitutes a call for action that encourages members of the public to think about their responsibilities as consumers of goods and services and to report the crime of trafficking in persons when they encounter it. In addition to producing and distributing videos, posters and leaflets, campaign workers also set up a dedicated website containing information on where to report trafficking crimes, including a national hotline, and how to further disseminate the campaign. Since its launch, the campaign has contributed to the rescue of dozens of potential victims of trafficking, as well as to an increase of 76 per cent in calls received by the national hotline.

66. Considering the important role of the media in raising awareness of the implications of trafficking in persons, in particular through reporting on trafficking cases, UNODC organized a number of training activities dedicated to journalists and media personnel, including training courses delivered in Algeria, Bahrain, the Sudan,

the United Arab Emirates and Qatar. In the training courses, frequent use was made of the UNODC *Human Trafficking Toolkit for Journalists*.

6. Protection and support of victims

67. A core element of the mandate of UNODC under the Trafficking in Persons Protocol is to increase the level of protection and assistance provided to victims of trafficking in persons, as set out in article 2, paragraph (b), and articles 6, 7, and 8 of the Protocol. As the guardian of the Protocol, UNODC assists countries in fully implementing a comprehensive response to trafficking by ensuring that structures are in place to convict traffickers and to address the realities experienced by the victims of such crimes.

68. Accordingly, UNODC advocates for a human-rights based and victim-centred approach. Victim protection is a key element of the UNODC criminal justice response to trafficking in persons and is always incorporated into the delivery of technical assistance. As an example of its advocacy efforts, the Office produced, in partnership with the Office of the General Prosecutor of Uzbekistan, a second edition of the training film entitled "Victims, not Villains", which is aimed at promoting victim-centred approaches to prosecution and adjudication of trafficking cases that are not prejudicial to victims' rights, dignity, or physical or psychological well-being. The film is expected to be used to train criminal justice practitioners in Central Asia.

69. During the reporting period, UNODC worked closely with relevant national governmental institutions and civil society organizations on safeguarding the rights of victims of trafficking.

70. UNODC supported Member States in providing assistance and protection to victims of trafficking. For instance, the Office supported a study visit of Bhutanese officials to Nepal to gather information on the experience of Nepal in operating shelters for victims of trafficking, in order to assist Bhutan in setting up a transit shelter. The Office also supported the development of national referral mechanisms for victims of trafficking, which are essential for clarifying roles and responsibilities and facilitating coordination among the different actors involved in a multidisciplinary response to trafficking in persons. As an example, UNODC supported the Government of Nigeria in developing and validating guidelines on national referral mechanisms for protection of and assistance to trafficked persons in Nigeria, and also supported the establishment of a similar mechanism in Bahrain. In addition, UNODC provided specialized training in the Sudan to the 22 members of the country's National Committee for Combating Human Trafficking on the development of a national referral mechanism for victims of trafficking.

71. UNODC engaged regularly with non-governmental organizations (NGOs) at specific events and meetings, such as the annual OSCE Alliance against Trafficking in Persons Conference, and provided training to human rights entities, NGOs and victim care providers on victim identification, support and protection, for instance, in Saudi Arabia and Morocco. Moreover, UNODC regularly benefited from its cooperation with NGOs and from the expertise contributed by their representatives at expert group consultations and training activities.

72. UNODC continued to provide direct financial support to NGOs that provide protection and assistance to victims of trafficking. In that connection, the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, managed by UNODC, had funded, as at May 2018, 34 NGO projects in 30 countries, providing $2 million in grants. Later in 2018, the fund is expected to allocate $1.5 million in grants to projects around the world, with priority to be given to projects that assist victims emerging from a context of armed conflict and those identified among large refugee and migration flows. As women and girls accounted for 71 per cent of all detected victims of trafficking in persons globally, at least 90 per cent of the funded projects supported women and girl victims who had been trafficked mainly for sexual exploitation. Support services targeting female beneficiaries included the provision of basic health and education, vocational

training, legal and psychosocial support services, emergency shelter, community reintegration and family reunification. Moreover, under the Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants, UNODC organized calls for proposals aimed at funding the direct provision of assistance and reintegration services by civil society organizations to trafficked victims, smuggled migrants and other vulnerable migrants. The selection of recipient NGOs and projects has started in Brazil, Mali and Morocco, and further calls for proposals are planned to be issued in Belarus and South Africa.

III. Conclusions

73. In promoting the implementation of the Trafficking in Persons Protocol, in particular by providing technical assistance to Member States and fostering inter-agency cooperation, UNODC has consistently sought the active participation of relevant stakeholders at the international, regional and national levels.

74. Despite the progress made, trafficking in persons remains a pressing global problem, victimizing people and affecting all regions. UNODC will continue its efforts to promote and support the implementation of the Trafficking in Persons Protocol and to work jointly with Member States and international organizations, civil society and victims towards making the fight against trafficking in persons in all its forms ever more effective.